

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:

Janek T. Chodnicki,

Chapter 7

Debtor(s).

BK 04-30778 GFK

NOTICE OF WITHDRAWAL OF MOTION TO DISMISS CHAPTER 7 CASE

1. The United States Trustee withdraws his motion to dismiss the above-captioned case for substantial abuse under 11 U.S.C. §707(b).
2. The debtor filed an amended Schedule J in response to the U.S. Trustee's motion and has provided documentation to support the amended expenses.
3. The pre-hearing conference on September 7, 2004, at 3:30 p.m. and the evidentiary hearing set for September 29, 2004 may be stricken.

Dated: August 31, 2004

Respectfully submitted,

HABBO G. FOKKENA
United States Trustee
Region 12

By: /s/ Sarah J. Wencil
Sarah J. Wencil
Trial Attorney
United States Trustee's Office
1015 United States Courthouse
300 South Fourth Street
Minneapolis, MN 55415
IA ATTY No. 14014
(612) 664-5500

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CERTIFICATE OF MAILING

I, Nancy Poole, certify under penalty of perjury that I am an employee in the Office of the United States Trustee for the District of Minnesota and am a person of such age and discretion as to be competent to serve papers.

That on August 31, 2004, I served a copy of the Notice to Withdraw Motion to Dismiss Under 11 U.S.C. §707(b) in the above-referenced case by placing said copy in a postpaid envelope addressed to the person(s) hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Minneapolis, Minnesota.

Addressee(s):

Mark A. Carter
810 South First Street, Suite 100
Hopkins, MN 55343

Nauni Jo Manty
Rider Bennett LLP
333 South Seventh Street, Suite 2000
Minneapolis, MN 55402

Janek T. Chodnicki
1295 Cider Circle
Shakopee, MN 55379



**Office of the United States Trustee
Nancy Poole**